

Docket No.: CHNT-0007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: the Application of

Arthur M. BROWN and Barbara A. WIBLE

: Group Art Unit: 1632

Serial No.: 10/668,496

Filed: September 24, 2003

: Customer No.: 34610

For: VECTORS AND TRANSFECTED CELLS

INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, Virginia 22202

Sir:


Pursuant to 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the indicated date. Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, that information cited in the statement is considered to be and/or is material to patentability, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that was cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. §120. 1138 OG 37, 38 (May 19, 1992).

- X 1. This Information Disclosure Statement is being filed (i) within three months of the U.S. filing date of a U.S. application other than a CPA continued prosecution application under §1.53(d) OR (ii) within three months of the date of entry of the national stage as set forth in §1.491 in an international application OR (iii) **before the mailing date of a first Office Action on the merits**. No certification or fee is required. 37 C.F.R. §1.97(b).
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application. 37 C.F.R. §1.97(c).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

- b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- c. Attached is our check no. \_\_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- 3. This Information Disclosure Statement is being filed after the mailing date of a Final Rejection OR Notice of Allowance OR an action that otherwise closes prosecution in the application, but on or before payment of the Issue Fee. Attached is our check no. \_\_\_\_ in the amount of \$180.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 16-0607 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 C.F.R. §1.97(d).
- a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).
- b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).
- 4. Others:
- X 5. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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**Date: March 18, 2004**

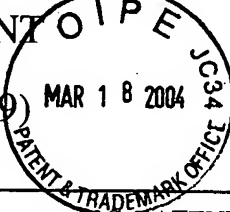
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**Please direct all correspondence to Customer Number 34610**

# LIST OF PRIOR ART CITED BY APPLICANT

(PTO-1449)

MAR 18 2004



ATTY. DOCKET NO.  
**CHNT-0007**

APPLN. SERIAL NO.  
**10/668,496**

APPLICANT(S)  
**Arthur M. BROWN and Barbara A. WIBLE**

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**September 24, 2003**

GROUP  
**1632**

## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE
	5,284,933	02/08/94	DÖBELI et al.	530	350	02/22/88
	5,310,663	05/10/94	DÖBELI et al.	435	69.7	06/18/93
	6,348,327 B1	02/19/02	GORMAN et al.	435	69.1	03/01/93
	6,207,422 B1	03/27/01	BROWN et al.	435	91.1	04/17/98
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	5,122,458	06/16/92	POST et al.	435	69.1	01/11/89
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	6,171,822 B1	01/09/01	KUESTNER et al.	435	69.1	10/11/99
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	6,207,383 B1	03/27/01	KEATING et al.	435	6	01/06/99
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## U.S. PATENT APPLICATION PUBLICATIONS

	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS	
	2002/0168707A1	11/14/2002	GRAHAM	435	69.1	
	2001/0024807A1	09/27/2001	INNIS et al.	435	69.1	
	2002/0142378A1	10/03/2002	ZHANG et al.	435	69.1	
	2001/0006639A1	07/05/2001	URBAN et al.	424	186.1	
	2003/0031654A1	02/13/2003	GORMAN et al.	424	93.21	
	2001/0034024A1	10/25/2001	KEATING et al.	435	6	
	2003/0013136A1	01/16/2003	BALSER et al.	435	7.21	
	2002/0061524A1	05/23/2002	SPLAWSKI et al.	435	6	

## U.S. PATENT APPLICATIONS

	*APPLN. NO.	*FILING DATE	*INVENTOR	CLASS	SUBCLASS	

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Publisher, Place of Publication, Etc.)

Invitrogen Life Technologies Catalog, "pUB6/V5-His A, B, and C," Catalog No. V250-20, Version B, April 12, 2002, pp. 1-22.

EXAMINER

DATE CONSIDERED

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EXAMINER'S INITIALS	*PATENT NO.	*ISSUE DATE	*INVENTOR NAME	CLASS	SUBCLASS	FILING DATE
	6,432,985 B2	08/13/02	ALANINE et al.	514	328	03/19/01
	6,310,213 B1	10/30/01	ALANINE et al.	546	216	06/02/00

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	*PATENT APPLN. PUB. NO.	*PUB. DATE	*APPLICANT	CLASS	SUBCLASS	
	2003/0040476A1	02/27/03	STUHMER et al.	514	12	04/22/02
	2002/0169161A1	11/14/02	BEAUDOIN et al.	514	248	07/24/01
	2003/0027829A1	02/06/03	REED et al.	514	248	07/24/01

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